

No. S272129

**In the Supreme Court of the State of California**

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MARIO RODRIGUEZ,  
*Petitioner and Defendant,*

v.

SUPERIOR COURT OF SANTA CLARA COUNTY,  
*Respondent,*  
THE PEOPLE OF THE STATE OF CALIFORNIA,  
*Real Party in Interest.*

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Sixth Appellate District, Case No. H049016  
Santa Clara County Superior Court,  
Case Nos. C1647395, C1650275  
The Honorable Eric S. Geffon, Criminal Presiding Judge

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**SUPPLEMENTAL BRIEF**

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## TABLE OF CONTENTS

	<b>Page</b>
Statement of the Case .....	4
Argument.....	4
I.    The Recent Decision of <i>Camacho v. Superior Court of Merced County</i> Has Bearing on the Constitutional Issues Alleged by Petitioner .....	4
Conclusion.....	5
Certificate of Compliance .....	6

## TABLE OF AUTHORITIES

Page

### CASES

<i>Camacho v. Superior Court of Merced County</i> (August 31, 2023, No. S273391) –P.3d – [2023 WL 5616303] .....	4
--	---

### RULES OF COURT

California Rules of Court, rule 8.520(d) .....	4, 5
California Rules of Court, rule 8.630(d) .....	4, 5

## STATEMENT OF THE CASE

Briefing for the present case concluded in 2022. On August 31, 2023, after notice was given by the Court that the matter could be calendared for oral argument, this Court decided the case of *Camacho v. Superior Court of Merced County* (August 31, 2023, No. S273391) –P.3d – [2023 WL 5616303].

Pursuant to California Rules of Court 8.520, subdivision (d) and 8.630, subdivision (d), the People intend to rely on *Camacho v. Superior Court* during oral argument.

## ARGUMENT

### **I. THE RECENT DECISION OF *CAMACHO V. SUPERIOR COURT* HAS BEARING ON THE CONSTITUTIONAL ISSUES ALLEGED BY PETITIONER**

The recent case of *Camacho v. Superior Court* involved the question of whether Due Process was violated by a more than decade-long pretrial delay for a sexually violent predator (SVP) trial. The principles set forth in that case have bearing on whether Due Process was violated by the pre-hearing delay in the present case. Accordingly, the People seek leave to address *Camacho v. Superior Court* at oral argument, as appropriate.

## CONCLUSION

Pursuant to California Rules of Court 8.520, subdivision (d) and 8.630, subdivision (d), the People seek leave to rely on *Camacho v. Superior Court* during oral arguments.

Dated: September 21, 2023    Respectfully submitted,

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**CERTIFICATE OF COMPLIANCE**

I certify that the attached SUPPLEMENTAL BRIEF uses a 13-point Century Schoolbook font and contains 197 words.

Dated: September 21, 2023      JEFFREY F. ROSEN  
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STATE OF CALIFORNIA  
Supreme Court of California

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STATE OF CALIFORNIA  
Supreme Court of California

Case Name: **RODRIGUEZ v. S.C. (PEOPLE)**

Case Number: **S272129**

Lower Court Case Number: **H049016**

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Date

/s/Zulma Garza

Signature

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